

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

IN RE	)	
CAPITAL ONE TELEPHONE CONSUMER	)	Master Docket No. 1:12-cv-10064
PROTECTION ACT LITIGATION	)	MDL No. 2416
	)	
	)	

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This document relates to:	)	
	)	
BRIDGETT AMADECK, et al.,	)	Case No: 1:12-cv-10135
	)	
v.	)	
	)	
CAPITAL ONE FINANCIAL CORPORATION,	)	
and CAPITAL ONE BANK (USA), N.A.	)	
	)	

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This document relates to:	)	
	)	
NICHOLAS MARTIN, et al.,	)	Case No: 1:11-cv-05886
	)	
v.	)	
	)	
LEADING EDGE RECOVERY SOLUTIONS,	)	
LLC, and CAPITAL ONE BANK (USA), N.A.	)	
	)	

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This document relates to:	)	
	)	
CHARLES C. PATTERSON,	)	Case No: 1:12-cv-01061
	)	
v.	)	
	)	
CAPITAL MANAGEMENT SERVICES, L.P.	)	
and CAPITAL ONE BANK (USA), N.A.	)	
	)	

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**MOTION FOR ENTRY OF CONFIDENTIALITY ORDER**

Class Plaintiffs Bridgett Amadeck, Tiffany Alarcon, Charles C. Patterson, David Mack,  
and Andrew Kalik (together, "Plaintiffs"), on behalf of themselves and all others similarly

situated, respectfully move the for entry of a confidentiality order governing all materials produced to Objector Jeffrey Collins' counsel pursuant to the Court's Minute Order (Dkt. No. 209).

In support of this motion, Plaintiffs state as follows:

1. To respond to Objector Collins' Proposed First Set of Interrogatories to Plaintiffs (Dkt. No. 192-2), production of confidential documents and/or information will be required.
2. At the October 30, 2014 hearing in this matter, Objector Collins' counsel agreed to treat all such materials produced as attorneys eyes' only.
3. Class counsel and Objector Collins' counsel have agreed to each of the terms in the Confidentiality Order attached as Exhibit A, which is a streamlined order based upon the Model Confidentiality Order Form LR 26.2, with red-lining additions and deletions in accordance with General Order 12-0018 as Exhibit B. A copy of the proposed order will be submitted to the Court's Proposed Order email address.
4. This Court has the authority to issue protective orders under Rule 26(c) for good cause. *Louisma v. Automated Fin., LLC*, No. 11-cv-2104, 2011 WL 5105377, \*1 (N.D. Ill. Oct. 27, 2011). Federal Rule of Civil Procedure 26(c)(1)(G) specifically provides that a Court may order "that a trade secret or other confidential research, development, or commercial information not be revealed or be revealed only in a specified way."
5. Objector Collins' discovery requests expressly call for "financial information that the party has maintained as confidential" as set forth in N.D. Ill. General Order 12-0018. Class counsel's lodestar in other TCPA actions is non-public, closely guarded, confidential information that would be valuable to Class counsel's competitors and counsel for defendants in this and

other actions. Public disclosure would create a significant commercial disadvantage for Class counsel.

6. Plaintiffs have, therefore, established that good cause exists for entry of the attached Confidentiality Order.

7. Although she has agreed to each of the terms in the attached Confidentiality Order, Objector Collins' counsel has informed Plaintiffs that she plans to seek two modifications to the Confidentiality Order to: (1) permit two attorneys in her office who are not counsel for Objector Collins to review Plaintiffs' confidential materials and (2) nullify the Confidentiality Order by adding an provision which states: "This Order is without prejudice to the right of any party to seek relief from the Court, upon good cause shown, from any of the provisions contained in this Order, including a motion to unseal information or document(s) introduced to the Court."

8. Both additions would be inappropriate. Two attorneys represent Objector Collins and have entered notices of appearances. Dkt. Nos. 180, 181. Additional attorneys who are not counsel of record should not be able to say "me too" simply because they want to review Class counsel's confidential financial information. Nor should Objector Collins' counsel be awarded the option to nullify entirely the Confidentiality Order at a later date. The only information subject to the Court's Minute Order is Class counsel's internal financial information. As set forth above, public disclosure of this information is precluded and would create a significant commercial disadvantage for Class counsel.

WHEREFORE, Plaintiffs respectfully request that the Court grant this motion and enter the [Proposed] Confidentiality Order attached hereto as Exhibit A and submitted to the Court's Proposed Order email.

Dated: November 10, 2014

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**CERTIFICATE OF SERVICE**

I hereby certify that on November 10, 2014, service of this document was accomplished  
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Dated this 10th day of November, 2014.

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